

## **MINUTES OF HARRISONBURG CITY COUNCIL AND PLANNING COMMISSION**

### **Special Joint Work Session on the Comprehensive Plan Review**

**April 15, 2009**

The Harrisonburg City Council and Planning Commission held a special work session to discuss the Comprehensive Plan Review on Wednesday, April 15, 2009, at 7:00 p.m. in the City Council Chambers, at 409 South Main Street.

Persons present: Mayor Kai Degner; Vice Mayor Richard Baugh; Council Member Ted Byrd; Council Member Carolyn Frank; Council Member David Wiens; Planning Commission Chairman Jared Burden; Charlie Chenault; Maui Da'Mes; Alan Finks; Bill Jones; and J.M. Snell

Also present: Kurt Hodgen, City Manager; Evan Vass, Assistant City Manager; Stacy Turner, Director of Planning and Community Development; Miriam Dickler, Public Information Officer; Adam Fletcher, City Planner; Alison Banks, Planner.

Mayor Degner called the meeting to order and thanked everyone for coming to the special meeting to discuss the review of the Comprehensive Plan. The degree to which we review the Comprehensive Plan is up to us. Tonight is meant for brainstorming; we will not decide everything about how we want to move forward, but we really want to put some time into being creative here too. Citizen interest in being involved in the direction of our community is out there and having a process that facilitates that input is something that is within our control; a process that stretches the boundaries a little bit about what we have been comfortable doing in the past.

Mayor Degner then asked Mrs. Turner to give a quick overview in terms of the process and what we are required to do within the State Code.

Mrs. Turner said I have a few handouts that each of you should have; these are sections of the State Code. The first page tells us that we must prepare and adopt a Comprehensive Plan; so we have to have a Comprehensive Plan, it is not an option. Once we get beyond that, there are a lot of other things that are options with the Comprehensive Plan review. It says that Planning Commission needs to review it after a five year period; that means you do not have to redo your Comprehensive Plan every five years, but you need to look at it and determine if it needs to be amended. Usually after a five year period it will need some type of amendment. What the review means is that you look at it and determine what parts of it you want to amend; do you want to amend it comprehensively, such as we did in 2004 or do you want to focus on sections of it that you feel need to be updated. You may want to look at the goals and objectives and see how you are coming along with the progress of those and do you need to remove achieved goals or add new goals. For the most part the Comprehensive Plan serves as a long range plan for the physical development of the City and it includes: where different types of land use is going, you have to have a transportation element, public facilities are identified, how much are you going to need to grow with your public facilities to accommodate population growth and more.

The portion of the State Code that discusses how a Comprehensive Plan is to include urban development areas and new urbanism is something that has recently gone into the code; however, it is not something that we need to get overly concerned with. We already meet the requirements. Our Zoning Ordinance and Land Use documents already allow for this; this is not a new concept that needs to be brought into Harrisonburg.

There is a part in the code that discusses the official map; that is a component of a Comprehensive Plan that you can have, but you do not have to have it. Harrisonburg has never had an official map. If you have an official map and you show a new street going in on the map it must include the street centerline and other details; our transportation plans have not gotten that specific at the Comprehensive Plan stage. It takes a whole lot of work to get to that point and I do not know that our plans would get to that.

Mrs. Turner then asked if there were any questions regarding what the State Code says about the Comprehensive Plan and review.

Mrs. Frank said in 2004 we re-wrote the whole plan; that was when we hired the consultant.

Mrs. Turner said yes, the process actually started much earlier than that and the plan was adopted in February 2004. We took a bit more than a year working on that plan. If any of you may recall Planning Commission members were the core of the steering committee or Comprehensive Plan Committee then and we had a group of citizens who also served on the committee.

Mayor Degner said to continue to fill out a picture of how the process went during the last review; we had about a 15 member steering committee that included Planning Commission, one City Council member, one School Board member, and citizen representatives. Did that group basically have a series of public meetings?

Mrs. Turner said at the beginning we had a series of public input meetings at the elementary schools around the City. We took broad public input at those meetings and let people talk about what was important to them. We also used techniques where we got people to prioritize what was most important to them. Then the committee went back and worked with the consultant and staff on each of these sections that you see in the plan; natural resources, housing, demographics, land use, city facilities, and so on. We worked those items into a draft format along with the Land Use Guide as a draft format. We went back and held another series of public input meetings in case people wanted to come in and read the drafts and make suggestions. After revisions, it proceeded into the Planning Commission's formal public hearing and then City Council.

Mayor Degner said I believe there were less than 100 people who participated in the Comprehensive Plan process last time. The opportunity we have is to take the lessons learned from that last process and see what we can add and if it would make a difference. There is a concept to throw out for discussion that has been talked about with the Chairman of the Planning Commission and other members, as well as the Vice Mayor and other staff. I am going to put it on the table here as a beginning point of discussion. Basically, it involves breaking into smaller sub-committees that are tasked to focus on certain areas and themes of the Comprehensive Plan. In this concept the idea would be for a sub-committee to have a Planning Commission representative, a Council member (potentially), staff representation, and then there would be two or three discretionary seats. These seats would be some people who may have some expertise in the specific area or theme being looked at by that particular sub-committee. That sub-committee would ultimately be responsible for drafting language for their parts of the plan. In order to get to that point they would hold a public meeting before they draft language and a public hearing after they draft language; then they would submit a final draft to the Planning Commission.

Having said this, I would like to ask everyone what your thoughts are in terms of what you hope to have in this process and what your reaction is to the aforementioned sub-committee structure. This will give us a good idea of how we want to go at this project compared to last time.

Mr. Burden asked how fundamental are we going to get with this? This is an update, not necessarily a replacement. First we need to get a general sense of how not out-of-date we think the current Comprehensive Plan is; we really are in control of how much of this we need to do. We need to break the areas, or themes, down in order to maximize the areas of interests that individual citizens may have.

Mr. Finks asked if we had any idea of what citizen participation may be like this time? I am sensing that there may be people who want to give public input, yet not have heavy participation in the overall review.

Vice Mayor Baugh said anything we can do to increase participation and public input, we obviously want to do. I believe there is some debate about having the sub-committees do the writing. Because the 2004 Comprehensive Plan was specifically structured in terms of goals and objectives; a part of our process now is to review the goals and objectives and see how we have done. I think there is an expectation of the members of Planning Commission that tonight is a meeting to get input from Council Members; because Council does not expect to be directly involved in the review process.

Mr. Byrd said he is coming at this from a different viewpoint. Before you determine where you are going, you need to figure out where you have been. Like Council Member Baugh, I would like to see what we have accomplished in the last plan. We can then use that as a baseline to determine what objectives need to be in the Comprehensive Plan, and how do we identify those objectives; perhaps that is when the citizen committees come in to play. What I think I am hearing tonight is that you are proposing to throw this out and start anew.

Mayor Degner replied no. What I am proposing is assigning task committees to topics that are relevant. Having them review what we have and then evaluate.

Mr. Byrd said what topics are relevant? And are you asking these committees to determine what goals and objectives have been accomplished? What I am asking is are we going to use the 2004 Comprehensive Plan as a basis and do an update or am I hearing we are doing a whole new plan?

Mr. Chenault said ever since I have known the Comprehensive Plan to be part of my life, it has always been used as a weapon and not as a guide; I think we need to change that. There is so much in the 2004 plan that is as relevant now as it was then. I think if we want to use a committee system, it can be efficient. Before we start any process I think we should give all city staff an opportunity to update the current plan as far as the numbers. After which, if we do have committees, they would have an updated guide with which to work.

Mr. Da'Mes said census data is very important to me and to be able to have an accurate picture for census would be very valuable to me (referring to Mr. Chenault's comments on plan updates). Something important for me is what are we trying to accomplish; are we trying to re-write the Comprehensive Plan or just enhance what we currently have. Also, how are we going to break this down for review, because it is not breakable by chapters, it is more of subject matter. Ultimately, if we do go with committees, what guidelines are we prepared to give everyone, how are we going to form these committees? Personally, I have not read thru the entire plan, but I do not feel it needs to be recreated at this time. Lastly, let's not forget to include innovation.

Mr. Snell said the 2004 Comprehensive Plan is a good plan. I do think there are some things in the 2004 plan that deserve attention and updating; there have been several significant events in the past five years that need to be looked at.

Mrs. Frank said I do not want to tackle the entire document; I would prefer to do a few things well, rather than try to do all of it over. I would want to focus on items such as Chapter 15 with the neighborhood organizations. If we could develop those and put them in place, then five years from now when we are reviewing the Comprehensive Plan again, we would have these neighborhood organizations. Other things that I see changing rapidly in our City that we might want to review are the Downtown area, the new Southwest Connector and the Stone Spring Road Corridor, also the area and growth around JMU.

Mr. Jones said the statue is very simple; review the Comprehensive Plan every five years, if you see areas that need to be adjusted, then adjust. I think what we have is an excellent document; there are some areas we need to look at. There are even a few places that we may want to take citizen input. If we do choose to break into committees, then as for the writing of the language, I feel staff does an excellent job. We should give them the input and allow them to research and prepare a draft.

Mr. Wiens said I agree that we have an excellent document currently. I also agree with Mr. Burden on how much of this do we really want to change. The proposal put on the table is massive; it will take time and money. If we choose to use committees, how would we divide up the responsibilities for this?

One thing we all agreed upon during the last re-write was we wanted to come up with a document that would stand for many years. Granted, it would need tweaking over the years; but it is not outdated. What Planning Staff is still bringing forward, those changes in the ordinance and new zoning districts, they are things that are in line with the 2004 Comprehensive Plan. This is five years later. I am very skeptical that we need to start that long process over again. We have a good document that was created for the long term.

Mayor Degner said in trying to make some consensus of what has been said tonight; it sounds like everyone believes we have a good plan in place and would like to avoid a complete and massive re-write. The review should actually give us the opportunity to openly share the existing plan for input and as an opportunity for others to read it and get behind it as it currently sits.

If we as the leaders of this community can extend the question out to say “come talk about this specific issue”, it is actually a way to motivate people to show up to meetings. You then task these people to take ownership in this issue. The practicality piece of making certain that people passionate about the issue do not go completely overboard is the burden of us and staff to reign in.

I feel the evaluation piece that Mr. Byrd brought up is a great idea. I think we all agree that staff needs to be writing this; they know what is appropriate in terms of the language that we need. Neighborhood organizations were brought up by a few of you; I know it was something that was brought up frequently during campaigns. Perhaps that is something that we do not need to wait for Comprehensive Plan review on; but can start with tomorrow thinking about how to move forward with that.

There were several fundamental questions tonight about organization and structure of the committees. The way to deal with that is to have a process that reaches out and provides an opportunity for all to participate. We need to do our work and extend the invitation to citizens to participate on topics that are relevant to them.

I am not proposing a full re-write of the Comprehensive Plan, but I am proposing a full review.

Mrs. Frank said I am trying to understand how we are going to do all of that; a full review. If there are certain issues that we feel strongly about then instead of trying to tackle the whole thing, like

you propose, let's just pick several things that people are passionate about and work on those. Let us remember that we can review and change the Comprehensive Plan anytime throughout the year.

Mayor Degner said when I say we do a full review; I do not mean that we are involved in every single piece of it. We get the people that are passionate about their one thing and let them review. A full review does not have to mean a full re-write; if this is a great plan it will stand for itself during the review.

Mr. Chenault said he feels there will be a lot of interest in the Land Use Map; particularly along Stone Spring Road area.

Mr. Finks said maybe we should put something out to the public about the upcoming review and ask for their comments on what they would like discussed.

Mr. Burden said the statute says that "At least once every five years the Comprehensive Plan shall be reviewed by the local planning commission to determine whether it is advisable to amend the plan." I do not know that Planning Commission could do our job appropriately if we do not first do some type of read through review. The State Code does vest in the Planning Commission the decision about whether it is advisable to amend the plan.

Mr. Wiens said I feel that, philosophically, it is the Planning Commissions responsibility to take this matter up and do it as they see fit to do it. Council can give their input, but the State vests the right to the Planning Commission. To micro manage how Planning Commission does the review is not Council's responsibility.

Mr. Baugh said the 2004 plan, with its goals and objectives, is really intentionally written to allow you to score and monitor progress and yet what has happened is that nobody has really looked at it that way. I think we are close to a consensus here that perhaps this is how we need to approach the Comprehensive Plan review in the future.

Mayor Degner said Planning Commission is obviously responsible for this review and Council is going to approve it. We both have the responsibility to extend the invitation to citizens to be part of the conversation. What this conversation is about is the degree to which people are going to participate and ultimately the degree to which this plan is relevant. You cannot necessarily trust that the Comprehensive Plan is representative of the community's vision just because sixty people participated in it; the way it influences policy is compromised. If you have more people involved in it, you have more people having ownership in it and the document itself becomes more relevant.

As a candidate when I told people what I was running on I said it was to provide people a chance for input on where their community is going. I know most of you campaigned, or campaigned for someone, on the same platform. I am continuing to push the envelope on how to involve people in the process; it should not be taken as any disrespect to the quality of the plan we have now. If 80% of the existing plan is exactly right, the community will see that. I would really like some idea of what the process is going to be by Planning Commission for this review.

Mr. Byrd said I do not have an issue with us, as City Council, taking a draft document from the Planning Commission and asking the community what do you think.

Mr. Finks said I do not believe there is anyone in this room who is against public input; it is just a question of how to go about it.

Mr. Burden said I think we on Planning Commission could make all this much simpler by, first and foremost, making our review of the plan. The Planning Commission review should be complete

enough and credible enough that it will lay out a good parameter for the overall review. Then we will decide what process we want to use to accomplish any needed amendments.

Mayor Degner said that sounds like a good place to start.

Mr. Baugh asked are we saying that Planning Commission should do their review before anything else; then we will decide on a process of how to handle the rest of the review. Or are we saying Planning Commission should do their review and come back to us with an outline of what the process should look like.

Mayor Degner said I think everything needs to be up for public discussion at some point, even after Planning Commission's review. That does not necessarily mean we are going to change everything.

Mr. Da'Mes said I do not feel the effectiveness of the review would be sufficient without the participation of the City Council. What I would like to suggest is to use Mayor Degner's concept as the process of the review.

Mr. Byrd said that by the statute, that is Planning Commission's job.

Mr. Chenault said by review, do we mean just a mechanical update of what is in the plan; from statistics, demographics, capital improvements and so forth.

Mr. Burden said perhaps we should have another meeting like this at the end of the review process by Planning Commission. What we bring back to City Council is just a draft. Therefore, you do not need to get involved in it at this level, which is why you have Planning Commission.

Mr. Baugh said we do not have to decide all of this right now. If Planning Commission is doing its job, it is self-regulated. Planning Commission knows that it is their responsibility to do the major work on the review, but that ultimately it is approved by Council. I do not think there is any risk that Planning Commission is not going to come to Council and ask for input.

Mayor Degner said perhaps Planning Commission should take this information back and now try to make some sense of it.

There are two other items that I would like to put forth. One, I would like to know when any City web site information goes up regarding the review. Also, I would like Rockingham County involvement in the review.

The meeting was adjourned at 8:45 p.m.

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Chairman Jared Burden

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Secretary, Alison Banks